

**WILLIAMSBURG CITY COUNCIL
MINUTES
JANUARY 10, 2002**

The Williamsburg City Council held its regular monthly meeting on January 10, 2002, at 2:00 p.m., in the Council Chambers of the Stryker Building.

ATTENDANCE

Present were Ms. Zeidler, Messrs. Hall, Haulman, Houghland, and Tabb. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Staff Attending: Department Heads Clayton, Hudson, Nester, Yost, Weiler, Serra, and Ms. Miller, Assistant to the City Manager.

CALL TO ORDER

The meeting was called to order by Mayor Zeidler.

COUNCIL MINUTES

Mr. Hall Moved Approval of the City Council Minutes of December 13, 2002, As Amended. The Motion Was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

Mr. Hall commented that he was not present at the December 18 Special Meeting, and would not vote on the minutes.

Mr. Houghland Moved Approval of the Minutes of December 18, 2002. The Motion Was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Houghland

No: None

Abstain: Hall

MATTERS OF SPECIAL PRIVILEGE

Prince George Parking Garage, General Obligation Notes, Series 2001—Res. #02-01

Reference for this item was Mr. Tuttle's report dated January 7, 2002, which included a copy of Davenport and Company's report on bank bids to fund construction of the parking garage.

Mr. Tuttle said the proposal was that the city issue two debt instruments:

1. Short-term notes not to exceed \$4.5 million to provide financing for construction, which can either be repaid from cash reserves at the end of the term, or converted to long-term debt; and
2. Long-term bonds not to exceed \$2.5 Million for permanent financing of the project, to be repaid from facility revenues over the next fifteen years.

Davenport recommended acceptance of the First Union National Bank proposal for the short-term note, up to \$4.5 Million at a 2.44% interest rate for two years, and recommended the First Union proposal for the permanent financing of the garage, with level principal payments at 4.55% interest rate, for the 15-year life of the bonds. The City Attorney and Finance Director have reviewed the recommendation and concur with Davenport's recommendation. Mr. Tuttle recommended that Council adopt proposed Resolution #02-01.

Mr. Hall stated and Council members concurred that this was a favorable financing package and provided flexibility depending on market conditions and financial circumstances. It is a favorable bid.

Mr. Houghland disclosed that his son worked as a loan officer in the small business department for First Union in North Carolina, and asked Mr. Phillips if he had a conflict. Mr. Phillips responded that he did not.

Mr. Hall disclosed that Mr. Richard Gratton of First Union was previously a classmate, but he did not believe that he had a conflict.

Mr. Hall Moved That City Council Adopt Resolution #02-01, A Resolution Authorizing the Issuance of not to Exceed \$2,500,000 General Obligation Bonds of the City of Williamsburg, Virginia, Series 2002, and Providing for the Form and Details Thereof and Authorizing the Issuance of Not to Exceed \$4,500,000 General Obligation Notes of the City of Williamsburg, Virginia, Series 2002, and Providing for the Form and Details Thereof. The Motion was Seconded by Mr. Houghland.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

(See Attached Resolution #02-01)

PUBLIC HEARINGS

PCR #21-01: Amend Zoning Ordinance by adding multifamily dwellings as a permitted or special use permit use in the ED District. (*Proposed Ordinance #02-01*)

Reference for this item was Mr. Nester's report dated January 10, 2002. Mr. Nester said the Richmond Road Planning Area section of the Comprehensive Plan recommended the establishment of an Economic Development District for the Torsion property. As part of Council Goals and Initiatives for 2000-2002, City Council adopted the initiative to return the property at Richmond Road and Ironbound Roads to the private sector for development of a regional shopping complex, and to seek to enter into a development agreement. The Focus Group established in 2001 reported their recommendations for uses and development standards, which included residential uses above first floor commercial uses.

Staff recommended that the ED District be amended to add multifamily dwellings as a permitted use. The Planning Commission recommended approval of the alternative proposal to amend the ED District to allow multifamily dwellings at a density of eight units per net developable acre as a special use permit use.

Mayor Zeidler opened the Public Hearing.

No one wished to speak. The public hearing was closed.

Mr. Houghland stated his concern about the possibility of multifamily units converting to

apartments. He was aware that the city could not restrict rental units. Mr. Nester said that the development of multifamily units would be restricted as much as possible. The type of unit can be regulated, but not the possible rental. Mr. Phillips added that developers might be prevented from rental units by limiting units to owner-occupied. However, that restriction may affect the marketability and financing of the units. Mr. Houghland suggested the issue be revisited at the time of discussing an agreement with a future developer.

Council members and Mr. Tuttle discussed removing the language from the original ordinance regarding acceptable economic development uses. Mr. Tuttle said those were only demonstrated types of uses and may be limiting and not helpful.

Mr. Hall Moved Approval of Ordinance #02-01, An Ordinance Amending Chapter 21, Zoning, By Revising Article III, Division 10.1 ED District Regulations, to Allow Multifamily Dwellings. The Motion Was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall

No: Houghland

(See Attached Ordinance #02-01)

PCR #22-01: Amend Comprehensive Plan to Adjust Boundary Between the Corridor Commercial Land Use and Low Density Detached Single Family Land Use on Either Side of Woods Drive, Behind the Colonel Waller Motel. (Proposed Ordinance #02-02)

AND

PCR #23-01: Amend Comprehensive Plan to Extend the Greenbelt North side of Bypass Road Between Parkway Drive and Capitol Landing Road. (Proposed Ordinance #02-03)

Reference for these items was Mr. Nester's report dated January 10, 2002.

Mr. Nester reported the Capitol Landing Corridor Committee recommended to the Planning Commission two amendments to the 1998 Comprehensive Plan. One change involved the Woods Drive Land Use Boundary Adjustment and the other, the Capitol Landing Road Greenbelt Extension. Mr. Nester explained that the change along Woods Drive was a very minor adjustment. Since the Comprehensive Plan is not intended to draw the exact boundaries for zoning lines, it is not necessary to make the change, since the current zoning boundaries are generally in accord with the recommendations for the future Land Use Plan. The extension of the greenbelt designation on Bypass Road between Parkway Drive and Capitol Landing Road is in accord with the Comprehensive Plan.

The Planning Commission recommended that City Council adopt Proposed Ordinance #02-02 and Proposed Ordinance #02-03. Mr. Nester said he would prefer addressing one ordinance at a time.

Mayor Zeidler opened the public hearing on PCR #22-01.
No one wished to speak. The public hearing was closed.

Mr. Nester said the Planning Commission was concerned about the commercial/residential boundary. The city received no major objections to the request.

Council members discussed the advantages and disadvantages of bringing the Comp Plan and Zoning Ordinance in line with one another. Mr. Houghland stated his concerns about amending the Comprehensive Plan in specifics, such as moving the boundary line and shading, and about over manipulation of the Plan. He questioned if this would be setting a precedent; could someone come back to the city and say that the boundaries on the Comprehensive Plan are not specific and therefore they do not have to comply, or that the Zoning Ordinance is not in concert with the Plan. Because of his concerns, he stated he would vote against the amendment. *(Mr. Houghland 's comments inserted as of 2/14/02 correction)*

Mr. Phillips said by statute, the Comprehensive Plan is general in nature. And the state statute contemplates all sizes of localities. There is a temptation to micromanage the Comp Plan and that caused him some concern. The Comp Plan and Zoning Ordinance may not always line up.

Mayor Zeidler commented that this amendment was a recommendation of the working committee of the neighborhood and of a subcommittee of the Planning Commission. It was reviewed by the Planning Commission, which resulted in concern about the character of the neighborhood. Since both groups recommended this ordinance, she was inclined to support it as a gesture to confirm that Council wants to protect the residential part of this neighborhood.

Mr. Hall Moved That City Council Adopt Proposed Ordinance #02-02, An Ordinance to Amend the 1998 Comprehensive Plan and the Future Land Use Map by Changing the Dividing Line Between Corridor Commercial and Low Density Single Family Detached Residential Land Use on Woods Drive.

Mr. Hall reiterated that this action resulted from a study of the corridor and the recommendation of a working committee of the neighborhood and sub-committee of the Planning Commission, as well as the Planning Commission. The recommendation was to approve the amendment of the Comprehensive Plan, and City Council wished to confirm its commitment to protecting the residential part of this neighborhood.

The Motion was Seconded by Mr. Haulman.

Mr. Haulman said his second was in recognition of the objective of protecting the neighborhood, which overrides any concern about setting a precedent, but it should not be the regular way that Council treats the Comprehensive Plan.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall

No: Houghland

(See Attached Ordinance #02-02)

Mr. Nester addressed the proposal to amend the Comprehensive Plan by extending the greenbelt on Bypass Road Between Parkway Drive and Capitol Landing Road. He pointed out the location of the greenbelt on an overhead map and confirmed that the property owner had no objection to extending the greenbelt designation. The Planning Commission unanimously recommended this amendment.

Mayor Zeidler opened the Public Hearing on PCR #23-01.
No one wished to speak. The public hearing was closed.

Mr. Hall Moved That City Council Adopt Proposed Ordinance #02-03, An Ordinance to Amend the 1998 Comprehensive Plan and the Future Land Use Map by Extending the

Greenbelt Designation on the North Side of Bypass Road from Parkway Drive to Capitol Landing Road. The Motion was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

(See Attached Ordinance #02-03)

PCR #24-01: Rezone approximately 11 acres at 931 Capitol Landing Road from Museum Support to Limited Business-4. (Proposed Ordinance #02-04)

Reference for this item was Mr. Nester's report dated January 10, 2002. Mr. Nester reported that the Planning Commission decided to pursue several zoning amendments along the Capitol Landing Corridor. The Capitol Landing Road Corridor Committee recommended this rezoning to the Planning Commission. Staff recommended that the eleven acres be rezoned from MS to LB-4 because the Comprehensive Plan recommends that the area be designated Office Land Use and the LB-4 rezoning is consistent with that recommendation. If approved, the larger LB-4 area would allow for a larger development. Planning Commission also recommended approval as detailed in the proposed ordinance.

Mr. Nester said the property owner, Colonial Williamsburg Foundation, has no objection to the rezoning.

Mayor Zeidler opened the public hearing.

Ms. Tory Gussman, representing Colonial Williamsburg Foundation, stated the Foundation does not object to the rezoning. It makes sense to rezone the area like its neighboring property.

No one else wished to speak. The public hearing was closed.

Mr. Hall disclosed that he previously worked on the joint ticket program for Jamestown/Yorktown Foundation, Colonial Williamsburg, and Busch Entertainment, but he no longer does that work and had no conflict.

Mr. Hall Moved that City Council Adopt Proposed Ordinance #02-04, An Ordinance to Rezone Approximately Eleven Acres at 931 Capitol Landing Road from Museum Support to Limited Business-4. The Motion was Seconded by Mr. Tabb.

Mayor Zeidler disclosed she was employed by the Colonial Williamsburg Foundation, and that relationship would have no affect on her independent judgment in voting on this matter.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

(SEE ADOPTED ORDINANCE #02-04)

PCR #27-01: Request of St. Stephen Lutheran Church, 612 Jamestown Road, for a special use permit for a 5,016 sq. ft. addition to the rear of the church.

Reference for this item was Mr. Nester's report dated January 10, 2002. Ms. Carolyn

Murphy reviewed the request. The church was requesting a special use permit to demolish a portion of the rear of the church for construction of a 5,056 square foot addition. The addition will contain classroom, offices, library, bathrooms, kitchen, and storage areas. The parking lot will not be expanded and all construction will be to the rear of the existing sanctuary. Since the site is located within the Chesapeake Bay Resource Management Area, the applicant will purchase regional access credits from the Skipwith stormwater management facility to meet water quality requirements.

The Planning Commission approved the final site plan for the expansion with conditions, and recommended that City Council approve the Special Use Permit to allow the proposed addition to the church. Mr. Nester noted that representatives of the church were present.

Mayor Zeidler opened the public hearing.

No one wished to speak. The public hearing was closed.

Ms. Murphy said no objections were received from adjacent property owners. The church has met the parking requirements. The proposed fence enclosing the playground area will be reviewed by the ARB. Mr. Clayton addressed Council's questions regarding the sanitary sewer easement.

Mr. Hall Moved that City Council Approve the Special Use Permit to Allow the Proposed Addition to St. Stephen Lutheran Church, 612 Jamestown Road. The Motion was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

REPORTS

Monthly Financial Statement

The Monthly Financial Statement was received and ordered filed.

Impact of State Budget Deficit on Local Funding

As requested at the January 7 Work Session, Mr. Serra presented a report explaining the impact of the shortfall of budgeted state revenues. He presented an overhead outline showing the difference in budgeted and estimated state revenues (see attached). Overall the shortage expected was \$184,000, which represented a small amount of the city's overall budget. It is possible that joint systems, such as schools and the library, may be affected.

Mr. Haulman asked that City Council receive information regarding the impact on both capital and operating budgets, rather than just the total.

Council members thanked Mr. Serra and Mr. Tuttle for the useful report.

Monthly Departmental Reports

The Monthly Departmental Reports were received and ordered filed.

Mr. Clayton reported that the Waller Mill Reservoir level was up about three inches due to the recent snow and rain. The city continues to purchase raw water from Newport News and will most likely continue through the winter months.

Planning Reports

ARB SIGN #37-01: Quality Suites, 1406 Richmond Road

Reference for this item was Mr. Nester's report dated January 10, 2002. Ms. Carolyn Murphy reported on the request of Quality Suites to replace a non-conforming sign with a new monument sign in the public right-of-way at 1406 Richmond Road. She pointed out the location of the sign on an overhead map. Staff recommended approval of the new sign with seven conditions, contingent upon the approval of City Council.

Mr. Hall Moved that City Council Approve the Monument Sign on the City Right-Of-Way for Quality Suites, 1406 Richmond Road, Subject to the Following Conditions:

- 1. A license being issued for five years from the date of approval (December 13, 2001), which could automatically be renewed.*
- 2. Approval is granted for the applicant only, and shall not be transferable to any future tenant or business.*
- 3. The sign must be located as approved by the Public Works staff and staked in the field.*
- 4. A right-of-way permit must be obtained before installation of the sign.*
- 5. A certificate of insurance showing that there is in force commercial general liability insurance coverage on an occurrence basis insuring against all claims, loss, cost, damage, expense or liability from loss of life or damage or injury to persons or property arising out or relating to such sign. Such insurance shall be by an insurance company licensed to do business in Virginia acceptable to the City Manager and shall include the City as an additional insured. Such certificate of insurance shall provide to 30 days advance notice to the City prior to cancellation or modification of such policy. Said insurance shall be maintained in force at all times at the permittee's expense when the sign remains on public right-of-way and shall protect and save the City harmless from any and all claims or demands for damages by reason of any negligence of the sign hanger, contractor, sign owner, as well as the owner, tenants and occupants of the property to which the sign pertains and/or their respective agents; as well as by reason of defects in the construction of such sign and the maintenance of such sign including, but not limited to, damages resulting from the collapse, failure or combination of the sign or parts thereof.*
- 6. A bond with corporate surety, letter of credit or certified check must be submitted by the owner, approved to form by the City Attorney, to cover the cost of the removal of the sign and its supporting structures if the sign is not removed at the expiration of the time period for which it is authorized or if the sign is not maintained in accordance with Section 21-753 of the Zoning Ordinance. The validity period for the bond with corporate surety or letter of credit shall be the same as the time period approved for the sign by City Council, and shall remain in effect until released by the City.*
- 7. The existing sign be removed from the pole shared with the Rosie Rumps sign and*

that the pole be shortened to the top of Rosie Rumps sign when the Quality Suites sign is removed.

The Motion was Seconded by Mr. Tabb.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

City Manager Reports

Contract for Credit Card Payment Services

Reference for this item was Mr. Tuttle's report dated January 7, 2002. Mr. Tuttle explained that one of the city's initiatives was to establish Internet payment for fees, which included the use of credit cards. Proposals have been received for both across the counter and web-based credit card payments. Bank of America offered the only proposal for the in-house package. Bank of America, through a third party provider, Electronic Data Systems Corporation and Official Payments Corporation offered proposals for web-based products that would enable customers to pay through the city's website. Any fees from the companies would be covered in the cost of service.

Mr. Tuttle recommended that Council authorize execution of a contract for credit card acceptance with Bank of America for in-house transactions, and a contract with Electronic Data Systems for web-based transactions, in a form satisfactory to the City Attorney.

Mr. Tuttle and Mr. Houghland discussed discounting parking tickets if paying by credit card. Mr. Houghland suggested City Council discuss parking ticket fees at sometime in the near future. Council and Mr. Tuttle discussed the fees for credit card usage. Mr. Tuttle pointed out that the use of credit card payments are providing customers with convenience and service.

Mr. Houghland Moved That City Council Authorize Execution of a Contract for Credit Card Acceptance with Bank of America for In-House Transactions, and a Contract with Electronic Data Systems for Web-Based Transactions for A Period of One Year, in a Form Satisfactory to the City Attorney, and Further, that the Credit Card Transaction Process be Revisited One Year Following Initiation of Service. The Motion was Seconded by Mr. Hall.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

Council members appreciated Mr. Serra's work on this matter. The one-year period will be a good trial period to collect data.

Contract for Professional Auditing Services for the City and Library

Reference for this item was Mr. Tuttle's report dated January 7, 2002. Mr. Tuttle explained that the three-year auditing services contract with Eggleston Smith through June 30, 2001 has expired, and the original contract provided for an extension at the city's discretion. Council members were provided with an estimate of hours of work and costs necessary to complete the audit engagements for the city and library for the next three fiscal years. Mr. Tuttle noted that additional work would be needed for the city to implement the new requirements of the Governmental Accounting Standards Board (GASB 34). He recommended that Council authorize execution of the three-year contract extension as

recommended by the Finance and Audit Committee.

Council members discussed the increased cost of services due to GASB requirements and extension of the contract. Mayor Zeidler reported that the Finance and Audit Committee recommended approval of the contract because they felt \$60.00 an hour was a good rate. In addition, the additional work required by GASB will be performed by senior level CPA's at a higher hourly rate, but it is work that Finance Department staff cannot do.

Mr. Hall disclosed that Eggleston Smith prepares the tax return with an entity he is involved and that he and Eggleston Smith staff will be working together on an estate-planning seminar. Mr. Phillips said neither was a conflict.

Mr. Hall Moved That City Council Authorize Execution of a Three-Year Contract Extension With Eggleston Smith PC for Professional Auditing Services, as Recommended by the Finance and Audit Committee, in a Form Satisfactory to the City Attorney. The Motion Was Seconded by Mr. Tabb.

Mr. Houghland stated that he would not vote favorably because of the increase in auditing service fees.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall

No: Houghland

Williamsburg Farmers Market

Reference for this item was Mr. Tuttle's report dated January 8, 2002. Mr. Tuttle reported that a seasonal Williamsburg Farmers' Market is planned for the downtown area on Saturday mornings in the summer of 2002. Four founding partners, the city, Colonial Williamsburg Foundation, Merchants Square, and Williamsburg Land Conservancy, will fund start up of the market. It is anticipated that market fees will support a successful market and grant funding will also be sought. Ms. Libby Oliver has been hired as Market Manager and will work through the city's Department of Parks and Recreation. Mr. Tuttle recommended that Council approve a contribution of \$3,000 and authorize the City Manager and City Attorney to conclude arrangements for the city's participation in the partnership.

City Council members expressed their enthusiasm about the Farmers' Market. Members discussed the issues of market operating hours, liability insurance, cleanup, and fees based on a day's gross sales. Mayor Zeidler noted that the Planning Commission first came up with the concept of a Farmers' Market, but the location of the parking terrace was not a desirable one. It was hoped that the community would support the market.

Libby Oliver, Market Manager, said she has received a lot of interest and inquiries about the market. She anticipated the market would begin in July, but perhaps sooner. She looked forward to hearing from people who are interested in the market and would welcome suggestions. She can be reached at the Recreation Department, 259-3768.

Mr. Houghland Moved That City Council Approve a \$3000 Contribution for FY 02, to be Drawn from the Operating Contingency Account, for Market Start Up Funds. Further, the City Council Authorize the City Manager and City Attorney to Conclude Arrangements for Participation in this Community Partnership. The Motion was Seconded by Mr. Hall.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

City Attorney Reports

Appointments to Board of Equalization

Mr. Phillips explained that the city changed its tax year from the calendar year to the fiscal year. At their December 18 Special Meeting, City Council recommended the reappointment of the current members of the Board of Equalization to the Judge of the Circuit Court, effective January 1 through December 31, 2002. In order to coincide with the tax year, the appointments should be made for the fiscal year or July 1, 2002 through June 30, 2003. Mr. Phillips recommended Council remake the reappointments, effective the beginning of the fiscal year.

Mr. Hall Moved That City Council Recommend to the Judge of the Circuit Court the Following Reappointments to the Board of Equalization, Effective July 1, 2002, to Expire June 30, 2003:

Mr. Richard Mahone, Mr. Jay Colley, Mr. Dennis Cogle, Mr. James E. Parker, and Ms. Bobbye Alexander. The Motion Was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

UNFINISHED BUSINESS

Wal-Mart Construction Project, York County

Mayor Zeidler asked for an update on the Wal-Mart project.

Mr. Clayton said he had just received the latest plans and explained the changes from the previous plan. The plan is improved. A drainage pond will be on site and drainage will be piped behind the Lowe's Store and into the pond behind Lowe's. The Lowe's pond will be enlarged and enhanced as a storm water management facility. He explained the city does not have any formal approval process on the York County property and has no control over what is done on the site. The city can only comment.

Council members voiced their concerns about run-off into the city's water supply and erosion. Mayor Zeidler commented that the zoning in York County allows for development that is not good for the city's water supply. Mr. Houghland suggested a third party take an official water sample to check for water quality from both sides of the creek bed on the Darst property for future reference. Mr. Hall commented that the city would be sensitive to York County's water supply if the development were in the city.

NEW BUSINESS

Local Emergency Planning Committee

Mr. Hall informed Council that Mr. Herbert E. Bell resigned from the LEPC.

Mr. Hall Moved that City Council Recommend to the Governor's Office that Mr. Roger

Baldwin be Appointed to Fill the Unexpired Term of Mr. Herbert E. Bell on the Local Emergency Planning Committee, Effective Immediately Until the Expiration of Term on August 30, 2003. The Motion was Seconded by Mr. Houghland.

Recorded Vote on the Motion:

Aye: Haulman, Tabb, Zeidler, Hall, Houghland

No: None

Council Retreat—Date Confirmation

Mr. Tuttle confirmed that the retreat would be held on Saturday, February 2, 2002.

OPEN FORUM

Mayor Zeidler opened the session for public comment.

No one wished to speak. The session was closed.

CLOSED SESSION

Mr. Hall Moved that City Council go into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one personnel matter per subparagraph 1 and four property matters per subparagraph 3 concerning acquisition of property of which discussion in an open meeting would adversely affect bargaining or negotiation strategy of public body, and disposition of property of which discussion in an open meeting would adversely affect bargaining position or negotiating strategy of public body. The Motion was Seconded by Mr. Tabb.

Recorded Vote on the Motion:

Aye: Tabb, Haulman, Zeidler, Hall, Houghland

No: None

The meeting adjourned at 4:15 p.m. (Mayor Zeidler called a five-minute recess.)

At 6:22 p.m., Council met in Open Session.

Mr. Hall Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Tabb, Haulman, Zeidler, Hall, Houghland

No: None

CERTIFICATION OF CLOSED MEETING

Date: January 10, 2002

Motion: Mr. Hall, Second: Mr. Tabb.

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

City Council Meeting
January 10, 2002

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

Aye: Tabb, Haulman, Zeidler, Hall, Houghland

No: None

Absent During Vote : None

Absent During Meeting: None

The meeting adjourned at 6:23 p.m.

Approved With Correction to Page 4, February 14, 2002

Shelia Y. Crist
Clerk of Council

Jeanne Zeidler
Mayor

